

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:21-CV-71-BO

JAMES MIKOLAJCZYK,)	
)	
Plaintiff,)	
)	
v.)	<u>O R D E R</u>
)	
UNITED STATES GOVERNMENT,)	
)	
Defendant.)	

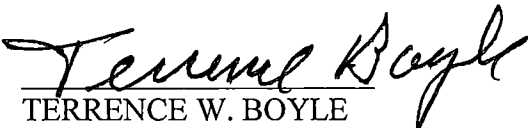
On February 14, 2023, this Court dismissed James Mikolajczyk's ("Mikolajczyk") complaint [DE 7] and closed the case. *See* [DE 31]. On June 29, 2023, Mikolajczyk filed a motion for reconsideration. *See* [DE 32]. On July 6, 2023, Mikolajczyk filed a second motion for reconsideration. *See* [DE 33]. The government did not file a response.

The Court has considered Mikolajczyk's motions for reconsideration under the governing standard. *See* Fed. R. Civ. P. 59(e); *Zinkand v. Brown*, 478 F.3d 634, 637 (4th Cir. 2007); *Bogart v. Chapell*, 396 F.3d 548, 555 (4th Cir. 2005); *Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir. 1998); *Hughes v. Bedsole*, 48 F.3d 1376, 1382 (4th Cir. 1995).

Furthermore, Mikolajczyk's motions fail to meet Rule 60(b)'s threshold requirements and are denied as baseless. *See* Fed. R. Civ. P. 60(b); *Aikens v. Ingram*, 652 F.3d 496, 500–01 & n.3 (4th Cir. 2011) (en banc); *Robinson v. Wix Filtration Corp. LLC*, 599 F.3d 403, 412 n.12 (4th Cir. 2010); *Nat'l Credit Union Admin. Bd. v. Gray*, 1 F.3d 262, 264 (4th Cir. 1993); *cf. Luxama v. McHugh*, 675 F. App'x 272, 273 (4th Cir. 2017) (per curiam) (unpublished).

The motions for reconsideration [DE 32, 33] lack merit and are DENIED. The case remains closed.

SO ORDERED. This 4 day of October, 2023.


TERRENCE W. BOYLE
United States District Judge